

Applicant : David E. Wolf  
Serial No. : 09/394,265  
Filed : September 10, 1999  
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Attorney's Docket No.: 04037-007001

### REMARKS

Claims 5 and 8 have been amended in accordance with the Examiner's suggestions to overcome the outstanding rejections based upon 35 U.S.C. §112, second paragraph. With respect to the Examiner's question as to how an antibody, or antigen-binding portion thereof, can act as a label, applicants notes that certain antibodies, and antigen-binding portions thereof, are known in the art to produce a detectable signal upon binding to an appropriate antigen. It is in this context, therefore, that the antibody, or antigen-binding portion thereof, can act as a detectable label.

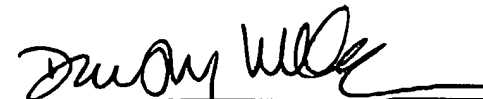
Applicant submits a terminal disclaimer to obviate the outstanding rejection for obviousness-type double patenting based upon USSN 09/090,601 (now issued as U.S. Patent No. 6,232,130).

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be allowed. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 1/3/02



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**Version with markings to show changes made**

**In the claims:**

Claims 5 and 8 have been amended as follows:

5. (Amended) The method of claim 4, wherein the Concanavalin A is mutagenized at residues [capable of participating] that participate in dimer-dimer interactions to produce dimers which do not assemble into tetramers.

8. (Amended) The method of claim 7, wherein the label is a radioactive label, a fluorescent label, an enzyme, a proximity-based signal generating label moiety, a homogeneous time resolved fluorescence (HTRF) component, a luminescent oxygen channeling assay (LOCI) component, biotin, avidin, [or] an antibody, or an antigen binding portion of [an] the antibody.